PAPER E

Purpose: For Noting

Committee report

Committee	**CABINET**
Date	**4 JUNE 2013**
Title	**UPDATE ON PROGRESS OF THE ACTION PLAN IN RESPONSE TO THE OFSTED INSPECTION OF LOCAL AUTHORITY ARRANGEMENTS FOR THE PROTECTION OF CHILDREN**
Report of	**CABINET MEMBER FOR CHILDREN'S SERVICES AND EDUCATION**

EXECUTIVE SUMMARY

1. This report provides assurance on progress in relation to the required actions as identified in the recent Ofsted Inspection of local authority arrangements for the protection of children on the Isle of Wight.

2. The report recommends that the Cabinet considers the contents of the report and approves the progress to date or recommends consideration of further or alternative action as appropriate.

BACKGROUND

3 An unannounced Ofsted Inspection of Arrangements for the Protection of Children took place between 26 November and 5 December 2012. Unlike previous inspection programmes, it was primarily focussed on casework practice and the difference this made for the child or young person. The overall effectiveness of the arrangements to protect children in the Isle of Wight was judged to be inadequate and a list of actions was identified as areas for improvement. These actions are outlined below:

(a) Immediately:

(i) Review and audit all contacts over the last four months into the children's First Response unit that resulted in a decision not to provide a service

(ii) Review and audit all open Section 47 inquiries and all cases involving children subject to a child protection plan to ensure that assessments and current plans reflect all the indicators of reported risk

(iii) Ensure that performance management and quality assurance arrangements are fully in place and that there is robust management oversight of all contacts, referrals and Section 47 inquiries

(iv) Ensure that all assessments have sufficient focus on the voice and journey of the child, their individual needs and the presenting indicators of risk.

(b) Within three months:

(i) Review, strengthen and establish clear lines of accountability and governance between the Health and Well-being Board, the Local Safeguarding Children Board (LSCB) and the Children and Young People's Strategic Partnership Board

(ii) Review the range and type of management information reports made available to senior managers and elected members to ensure that there is robust and effective governance of child protection services

(iii) Ensure that all staff receive regular and effective supervision in line with the council's own supervision policy and that supervision supports professional development and service improvement.

(c) Within six months:

(i) Ensure service planning is influenced by the views of service users, their parents and carers and the outcomes of audit and performance management arrangements

4. Following the Cabinet meeting on 12 February 2013, it was agreed that updates and progress would be reported to subsequent Cabinet meetings on the Improvement Programme. The last update to Cabinet took place on Tuesday 12 March.

PROGRESS TO DATE

Leadership and Management

5. In late February, instigated by the national Children's Improvement Board and Department for Education (DfE), discussions began with Hampshire County Council entering into a strategic partnership with Isle of Wight Council. By the end of March both councils formally agreed to this approach with it being built on a model whereby the statutory Director for Children's Services in Hampshire assumed the same role for Isle of Wight and deployed the resources of both councils to meet the Isle of Wight's needs. This arrangement addresses all services within the remit of the statutory director so includes education services as well as other services such as youth services which do not currently sit within the children's arm of the Isle of Wight Council.

6. Work on formalising the agreement is being led by the IOW Council's Head of Paid Service and Director of Children's Services for Hampshire supported by a project officer within each council. The aim is to have the formal agreement ready for sign off in early June with the formal partnership arrangement commencing 1 July 2013. A detailed report on the strategic partnership is on the agenda of the same meeting as this report.

7. In the meantime, work has progressed to ensure that any changes implemented within the Isle of Wight fit with how Hampshire delivers services. This work is being led at Head of Service/ Assistant Director level and is encouraging to date with a real

sense of partnership emerging. Potential early partnering arrangements have been identified in relation to:

a. Upgrading the Isle of Wight ICS system to that of Hampshire pending procurement and implementation of Hampshire's replacement product.
b. Utilising Hampshire's out of hour's arrangements for children's social care services.
c. Utilising Hampshire's single point of contact for all initial children's social care enquiries and referrals.
d. Applying Hampshire's performance reporting arrangements to Isle of Wight.

Social Work Practice

8. The Deputy Director for Children's Social Care at the time of the Ofsted inspection resigned in February and has been replaced by an Interim Head of Children's Social Care.

9. The two Commissioning roles that were criticised by Ofsted because the post holders were not qualified social workers have been replaced by an Interim Service Manager for Social Work Practice who is an experienced and qualified practitioner and an Interim Service Manager for Quality and Performance who is an experienced and qualified practitioner who brings particular experience of leading LSCB activity in a large metropolitan council and a focus on quality and performance.

10. The new role of Interim Service Manager for Quality and Performance will provide co-ordination across a number of areas to drive improvement such as quality, performance, and workforce development. The Service Manager will line manage the Local Authority Designated Officer (LADO) along with Child Protection Chairs and Independent Reviewing Officers (IRO's).

11. Following the Ofsted inspection, some members of staff have chosen to move on from the Local Authority and some have been redeployed into alternative positions.

12. An experienced interim manager has been brought in to oversee decision making in First Response and ensure a consistent and appropriate action of referrals and contacts.

13. Proposals to merge the First Response and Short Term units to create two Duty Teams have been agreed. These will alternate a week at a time on duty and undertake all Section 47's (S47 of the Children Act 1989 places a duty on local authorities to make inquiries, or cause inquiries to be made, where it has reasonable cause to suspect that a child is suffering, or is likely to suffer significant harm) and Initial Assessments up to either initial Child Protection conference or initiation of care proceedings. The proposals have been developed with input from Hampshire colleagues.

14. A number of permanent and interim social work staff working for the council at the time of the Ofsted inspection have subsequently chosen to leave and all of these are being replaced with interim staff pending recruitment of permanent post holders. In addition six additional interim social workers commenced in May to provide extra capacity over the next six months to help stabilise the service, along with the backlog team.

Performance Management & Quality Assurance

15. Immediately following the Ofsted inspection an internal audit, of all cases determined as requiring no further action (NFA) at the point of referral, was undertaken. This covered the period from September to December 2012 and was led by the Deputy Director who undertook a large proportion of the activity and was supported by qualified and experienced colleagues. A high threshold was set and any case where there was not clear evidence to support the outcome of NFA was referred back for further investigation. A full report summarising the audit, the outcomes of cases that were referred back for further work and key lessons learnt was presented to the May Improvement Board meeting.

16. An external provider was commissioned to undertake an audit of all current Child Protection cases and Section 47's initiated since 1 December 2012 and the fieldwork for this has just been completed. A small number of cases were referred back to the Deputy Director/Interim Head of Service as requiring immediate attention and there is significant learning to be drawn from this activity. A report was made available to the May Improvement Board.

17. A different provider has now been commissioned to undertake a case file audit of 40 children in need cases (cases meeting the threshold for social work intervention but not justifying Child Protection planning or the child being placed into the care of the authority) and 40 Looked After Children (LAC) cases. A report will be available for the June meeting of the Improvement Board. As above, the auditors will be required to refer to the Interim Head of Service and any immediate concerns that they have as well as producing an overview report of key lessons to be learned.

18. An internal audit programme is in development by the new Interim service Manager for Quality and Performance.

Partnership working

19. The response of partners to the Ofsted inspection has been encouraging both formally through the LSCB and within individual organisations.

20. Within the LSCB work continues to strengthen the partnership under the leadership of the chair. Of particular note are that:

    a. The Serious Case Review (SCR) Committee and LSCB Audit Committee both have new chairs.
    b. The Serious Case review Committee is overseeing the completion of 5 serious case reviews and partnership reviews.
    c. The Audit Committee is auditing a sample of cases that became referrals to children's social care and examining how and when risks were identified and responded to, up to the precipitating incident to the social care referral. This reflects an emerging issue from the SCR's and Partnership reviews that many of the children and their circumstances were already known to professionals.

21. Outside of the LSCB there has been significant senior management engagement in reflecting on the Ofsted inspection and the consequences for partners. The following briefings have taken place:

a. Briefing for head teachers on the outcomes of the inspection and the role they can play in making sure that children's social care deliver a timely and quality response to concerns and there has been a positive response to this.
b. Briefing for the Clinical Commissioning Group (CCG) Performance Board (formerly the PCT – responsible for purchasing healthcare for IW residents). As a consequence, the CCG are working very closely with the IW NHS Trust to identify young families at risk who may need support and management with their midwives and health visitors.
c. Briefing for the IW NHS Trust Senior Team.

22. Aside of the briefings, further engagement work has been undertaken by the Children's Safeguarding Improvement Programme Manager in developing the multi-agency Improvement Plan.

23. The Children's Improvement Board (CIB) held its second meeting on 20 May 2013 and was attended by the Leader of the Council and the Lead Member for Children's Services which is a requirement by the Department for Education. As part of their induction and development, the Deputy Leader and the Deputy Lead member for Children's Services also attended.

24. The CIB is a multi-agency board with excellent attendance from all partners which shows the level of commitment to ensuring the significant improvements are made and are sustainable.

CONSULTATION

25. This report has not been subject to formal consultation with either the community or partners but reflects advice being provided to the council by both the Children's Improvement Board (on which partner agencies are represented) and Department for Education. As the Improvement Plan is developing and consultation with staff, partner agencies and relevant stakeholders is being undertaken, the Improvement Programme can only be fully deliverable with the engagement and ownership of key partners.

FINANCIAL/BUDGET IMPLICATIONS

26. A significant one-off investment has already been set aside to take into account the employment of interim staff, setting up the Improvement Board, strengthening social work practice, educational improvement and in reviewing safeguarding cases. There will be additional costs needed in the development of the strategic partnership. There will also be resource requirements in funding required improvements in Children's Services which will need to be addressed as part of the 2014/15 Budget Process. The full details on the financial arrangements and their implications will be detailed in the report to the Council and Cabinet seeking final approval to the proposed agreement.

LEGAL IMPLICATIONS

27. Under the Children Act 2004 the local authority must make arrangements for ensuring that its functions are discharged having regard to the need to safeguard and to promote the welfare of children in its area.

28. There are a number of specific duties to organise and plan services and to safeguard and promote the welfare of children. These duties fall within the remit of the Director of Children's Services (DCS) under section 18 of the Children Act 2004. It is essential that the DCS, or senior managers reporting to the DCS, have relevant skills and experience in, and knowledge of, safeguarding and child protection, and that they provide high quality leadership in this area as part of the delivery of effective children's social care services as a whole.

29. S11 of the 2004 Children Act specifies that partner agencies have a duty to co-operate in promoting and securing the welfare of children and young people are referred to within the act.

30. Safeguarding and promoting the welfare of children is defined in the Government Guidance Working Together to Safeguard Children (2013) as:

(a) Protecting children from maltreatment.
(b) Preventing impairment of children's health or development.
(c) Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care and undertaking that role so as to enable children to have optimum life chances so that they can enter adulthood successfully.

31. Specific duties arising out of the Children Act 1989 include:

(d) to safeguard and promote the welfare of children within their area who are in need; and

(e) so far as is consistent with that duty, to promote the upbringing of such children by their families by providing a range and level of services appropriate to those children's needs.

32. The local authority also has duties under the Children Act 1989 to provide accommodation for any child in need within their area who appears to require accommodation of them and further duties towards children that are being looked after by them.

33. The local authority is the lead agency and is responsible for ensuring children in need of protection receive the required services. It also has to identify the need to strengthen earlier intervention to address problems occurring in children's lives.

34. The local authority also has a statutory responsibility for ensuring the Isle of Wight Local Safeguarding Children Board is in place (Children Act 2004) and that it is fulfilling its roles and responsibilities as laid down in Working Together 2013.

35. A service deemed to be 'inadequate' by Ofsted fails to meet the statutory duties as defined above.

36. The precise legal implications regarding the strategic partnership arrangements with HCC will be set out in the detailed report which will be presented to the Cabinet and Full Council later in June.

EQUALITY AND DIVERSITY

37. Any policy or structural change resulting from the Improvement Programme will be subject to Equality Impact Assessments as appropriate ensuring any impacts on those with protected characteristics (such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) have been taken into account.

OPTIONS

38. OPTION 1
To approve the progress to date

40. OPTION 2
To consider further or alternative action as appropriate

RISK MANAGEMENT

40. A risk register has been prepared for the Children's Improvement Board, which is to be agreed in June and presented to Cabinet in the next update paper.

41. The major risks to delivering rapid and sustainable improvement to children's safeguarding services on the Island are in respect of capacity and expertise and resources to fund the programme and any on-going costs that flow from it.

42. The council is fortunate in having access to advice and support from the Children's Improvement Board which ensures that it can be directed to individuals and organisations that have a proven track record of delivering the work that the council needs to undertake. With provision being made from corporate reserves to fund the one-off costs of the programme, the risks in respect of delivering capacity and expertise are significantly reduced.

43. A sum of £375k was identified as part of the budget planning for 2013-14 to fund on-going additional costs to the service and is being utilised to deliver additional capacity at the frontline to ensure the council can meet demand without sacrificing quality. Should the Improvement Programme identify a further need for on-going investment then this will be addressed through the council's normal budget making processes.

EVALUATION

44. The actions undertaken in immediate response to the Ofsted inspection indicate the seriousness by which the findings of the inspectors are being taken.

45. The engagement with the national Children's Improvement Board, the Department for Education, the establishment of an independently chaired multi-agency improvement board for the Island and the commitment to resource the Improvement Programme ensures that the council is well placed with its partners to address the

findings of the Ofsted inspectors and deliver rapid and sustainable to ensure that children are safe and feel safe.

46. This is coupled with the strategic partnership with Hampshire County Council to ensure that a sufficient calibre of senior management is put in place to oversee the future direction of the service.

RECOMMENDATION

47. The recommendations are:
    a. To approve the progress to date
    b. To consider further or alternative action as appropriate

APPENDICES ATTACHED

48. None

BACKGROUND PAPERS

49. Local Authority Arrangements for the Protection of Children on the Isle of Wight
50. Report to Cabinet 12 February 2013
51. Report to Cabinet 12 March 2013

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